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**Cc:** [Bahr, Ryan](#); [Rogers, Joan](#); [Kuefler, Patrick](#); [Burdett, Cheryl](#)  
**Subject:** EPA seeking to negotiate an Order on Consent - Enforcement Confidential  
**Date:** Tuesday, March 19, 2019 2:40:07 PM

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## **Pending EPA Action- Enforcement Confidential**

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This is a notice per the State/ U.S. EPA Enforcement Action Communication Plan of a pending U.S. EPA enforcement action in your state.

U.S. EPA anticipates sending an Offer to Negotiate an Administrative Consent Order (Agreement) to Ex. 6 (Personal Priv) Farms, a medium dairy farm located in Kewaunee, Wisconsin. An EPA inspection found the facility to have improper waste management from the facility which would flow to an intermittent unnamed tributary during precipitation events. The flow in this intermittent unnamed tributary is to a perennial unnamed stream, and then to Lake Michigan. Lake Michigan is a Traditional Navigable Water.

EPA is offering Ex. 6 (Personal Priv) Farms an opportunity to negotiate the Agreement to address the runoff from the facility and areas of concern observed during the inspection. As part of the offer, we intend to send a draft Agreement that outlines compliance measures including interim measures to cease all unpermitted discharges and construct all necessary controls to permanently cease all manure and process wastewater discharges from operations at the facility.

U.S. EPA has not assessed any penalties at this time as part of this action. Once signed, WDNR will receive a copy of the Letter and draft Agreement.

If you have any questions, please contact me or Ryan Bahr at 312-353-4366.

Sincerely,

Joan Rogers  
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